

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 1682 of 2018**

Ram Narayan S/o Parmatma Prasad, Aged About 54 Years, Pump Operator
Cate .II , Surakachhar Main Mines, R/o Prem Nagar (Surakachhar) Police
Station Kusmunda District Korba Chhattisgarh., District : Korba,
Chhattisgarh

---- Petitioner

Versus

1. South Eastern Coalfields Limited Through Its Chairman Cum Managing
Director Head Office Basant Vihar Seepat Road Bilaspur District Bilaspur
Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Sub Area Manager, South Eastern Coalfields Limited (Surakachhar, Balgi
Sub Area) Korba Area District Korba Chhattisgarh., District : Korba,
Chhattisgarh
3. Senior Manager (Mining) Eastern Coalfields Limited (Surakachhar, Balgi
Sub Area) Korba Area District Korba Chhattisgarh., District : Korba,
Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Basant Kaiwartya, Advocate.
For Respondents	:	Mr. V. R. Tiwari, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****22/02/18**

Heard.

1. The challenge to the impugned notice in this petition is mainly on the ground that the notice is absolutely vague and does not contain any detail. There are no list of documents, list of witnesses and it cannot be said to be a charge-sheet against the petitioner and with this kind of notice, the petitioner cannot be subjected to departmental enquiry.
2. At the outset, learned counsel for respondent- SECL appearing in this

case submits that the respondent- SECL would be issuing a detailed charge-sheet with the articles of charges, statement of allegations, list of documents and witnesses, by which, the charges are proposed to be proved and only on the basis of the impugned charge-sheet, further proceeding shall not be drawn.

3. In the considered opinion of this Court, this statement made, at the bar, by the counsel for respondent- SECL is sufficient to protect the petitioner against the arbitrary action of holding departmental enquiry on undisclosed charges under the notice impugned in this petition.

4. In that view of the matter, the petition is disposed of placing on record the statement of the respondent – SECL with the clear direction that if the respondent – SECL intend to proceed in departmental enquiry against the petitioner, then shall issue a proper charge-sheet along with list of documents and witnesses.

Sd/-

(Sanjay K. Agrawal)

Judge